SINGLE BENCH (2) (4)

100/-

BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH
AT BILASPUR (C.G.)

WRIT PETITION NO. 3827 /2006

PETITIONER

Smt. Alka Philips, aged about 34 years, wife of Shri Nitish Philips, resident of – Mission Road, Korba, Tah. And Distt. Korba (C.G.)

P.R. No. 388436
Presented by Shri Anoosh Pandey
dated 24/7/06

VERSUS

RESPONDENTS

1. State of Chhattisgarh, through – the Secretary, Department of Tribal Welfare, Dau Kalyan Singh Bhawan, Raipur (C.G.)
2. Assistant Commissioner, Tribal Welfare Department, Kansabadi, Korba (C.G.)
3. The Principal, Government Higher Secondary School, Mission Road, Korba (CG).
4. Smt. Rini Dubey, Lecturer (Eng.) Government Higher Secondary School, Mission Road, Korba (C.G.).

RECEIVED-COPY
24/7/06
CLE H.C. BILASPUR

OATH COMMISSIONER
APARNA MALVIYA
CG-01/2001

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA.

(35)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No. 3827/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

7.8.2006

Shri Aneesh Pandey, Advocate for the petitioner.

Shri Sumesh Bajaj, Govt. Advocate for the State on advance copy.

Heard.

By this petition the petitioner has challenged her transfer order dated 7.7.2006 (Annexure P-1) whereby she has been transferred from Government Higher Secondary School, Mission Road, Korba to Girls Education Higher Secondary School, Chowki, Rajnandgaon.

The main grievance of the petitioner is that respondent No.4 vide order dated 4.9.2000 (Annexure P-3) was transferred from Government Higher Secondary School, Korba to Government Higher Secondary School, Chaitma, District Korba, but in pursuance of that order respondent No.4 was not relieved and continued to work in the Government Higher Secondary School, Mission Road, Korba and now without amending that order the petitioner has been transferred declaring her as surplus, whereas, respondent No.4 came after the petitioner, therefore, being a junior to the petitioner she ought to have been transferred.

Therefore, learned counsel for the petitioner submits that the petitioner may be allowed to make a detailed representation to respondent No.1 and in turn, he be directed to decide the same in accordance with law, to which Shri Bajaj, learned Govt. Adv. for the State has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, without expressing any opinion on the merit of the case, the petitioner is allowed to make a detailed representation to respondent No.1 raising all the grievances within 10 days from today along

P.T.O.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

with copy of this petition and in turn, respondent No.1 to decide the representation of the petitioner within a period of 30 days from the date of receipt of representation in accordance with law after considering all the grievances raised by the petitioner.

Till the decision of the representation, the petitioner should not be relieved, if already not relieved.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P. No.2986/06 also stands disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

Roshan/-

P.T.O.